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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,125	03/15/2001	Nadav Goshen	P-3114-US	4602
27130	7590	06/28/2004	EXAMINER	
EITAN, PEARL, LATZER & COHEN ZEDEK LLP 10 ROCKEFELLER PLAZA, SUITE 1001 NEW YORK, NY 10020			MAURO JR, THOMAS J	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/808,125

Applicant(s)

GOSHEN, NADAV

Examiner

Thomas J. Mauro Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-14 are pending and are presented for examination. A formal action on the merits of claims 1-14 follows.

#### *Specification*

2. The disclosure is objected to because of the following informalities:
  - The priority date on page 1 line 5 of the specification is inaccurate. Please correct to read March 15, 2000.Appropriate correction is required.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertram et al. (U.S. 5,818,446).

With respect to claim 1, Bertram teaches a method comprising:

identifying a uniform resource locator (URL) associated with at least one content

provider and a browser [Bertram -- Figure 1, Col. 3 lines 29-39 and Col. 7 lines 45-64

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– URL is identified in a browser which requests a webpage from a content provider over the Internet]; and

customizing said browser by modifying at least one portion of said browser based upon said URL [Bertram -- Col. 7 lines 18-35 and lines 45-64 and Col. 10 lines 1-19 –

Based upon the type of URL requested, i.e. a children's webpage, the browser is customized to provide an appearance and functionality suitable for a child].

With respect to claim 2, Bertram further teaches wherein said modifying comprises updating said browser in accordance with either a content provider criterion or a user preference criterion [Bertram -- Col. 9 lines 46-60 – Modifying the browser to be more suitable for a child, adult, etc., is a user preference modification, made by the parent, designed to enhance the experience for that particular user, i.e. child].

With respect to claim 3, Bertram further teaches wherein said content provider belongs to a family of content providers that are categorized by a category or theme [Bertram -- Col. 10 lines 1-32 – Family of content providers share a children's category or theme], and wherein said modifying comprises updating said browser in accordance with one category or said theme [Bertram -- Col. 9 lines 51-56 and Col. 10 lines 1-32 – Browser modification customizes browser to a children's theme, i.e. preschool graphics, which is more suitable for children to use].

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5. Claims 9-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Burner et al. (U.S. 6,282,548).

With respect to claim 9, Burner teaches an apparatus comprising:

a browser server adapted to modify a browser with browser modification information created by said browser server [**Burner -- Col. 5 lines 41-62, Col. 7 lines 42-62 and Col. 8 lines 5-7 -- Database server gathers metadata information used to modify browser of client by adding button bar to browser containing the metadata information, i.e. links, advertisements, etc.].**

With respect to claim 10, Burner further teaches wherein said browser modification information is adapted to change the appearance or functionality of the browser [**Burner -- Col. 7 lines 59-62 and Col. 8 lines 5-7 -- Appearance and functionality of browser is changed as button bar is added to browser].**

With respect to claim 11, Burner further teaches a client module in communication with said server and said browser, said client module being adapted to change the appearance or functionality of said browser with said browser modification information [**Burner -- Col. 6 lines 43-58, Col. 7 lines 42-62 and Col. 8 lines 5-7 -- Software executing on client, i.e. client module, is responsible for requesting and processing metadata which will be added to the browser to change the appearance and functionality of the Internet experience].**



With respect to claim 12, Burner further teaches wherein said browser modification information comprises either a dynamic toolbar, a dynamic browser skin or a dynamic browser user interface [**Burner -- Figure 4, Col. 7 lines 42-62, Col. 8 lines 5-7 and Col. 8 lines 65-67 – Col. 9 lines 1-9 – Button bar, i.e. dynamic toolbar, contains metadata content which changes based upon the particular site, i.e. URL, which is being visited**].

With respect to claim 13, Burner further teaches wherein said browser modification information comprises at least one of a dynamic navigation tool, a dynamic browser function button, a dynamic site bookmark, a dynamic rotating icon, a dynamic mouse icon, a dynamic hotkey, a dynamically shaped browser, and dynamically branded information [**Burner -- Col. 7 lines 42-58, Col. 9 lines 28-40, Col. 11 lines 18-34 and Col. 12 lines 57-67 - Col. 13 lines 1-11 – Browser modification includes both a dynamic navigation tool, i.e.. links which change based upon site visited and past usage history, and dynamically branded information, i.e. paid link advertisements which change based upon site visited**].

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. (U.S. 5,818,446), as applied to claim 1 above, in view of Berger et al. (US 2002/0062325).

Regarding claim 4, Bertram teaches the invention substantially as claimed, as aforementioned in claim 1 above, including sending a request based upon said URL to a server which is in communication with said browser **[Bertram -- Col. 3 lines 27-48 and Col. 7 lines 36-64 – URL, entered through client browser, is used to request and access server containing webpage]**.

Bertram fails to teach sending a unique identifier (UID) with the URL to a server.

Berger, however, discloses a document transformation system which alters documents for transmission to users using various devices based upon preference information stored on a server **[Berger -- Figures 1 and 7, Page 1 paragraph [0007] and page 4 paragraph [0076] – Unique ID is transmitted from device to server with URL in order to access preference information associated with the user by indexing a database]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the sending of a unique ID to a server, as taught by Berger into the invention of Bertram, in order to provide access to information which would allow users the further enhance viewing experience by allowing them to customize page views.



8. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. (U.S. 5,818,446) and Berger et al. (US 2002/0062325), as applied to claims 4, 5, 6 and 7 above respectively, in view of Burner et al. (U.S. 6,282,548).

Regarding claim 5, Bertram-Berger teach the invention substantially as claimed, as aforementioned in claim 4 above, but fails to explicitly teach a database located on server storing content provider data.

Burner, however, discloses an Internet system which modifies a web browser by adding a button bar providing metadata information, i.e. content provider data, accessed from a database stored on a database server [**Burner -- Figure 1 and Col. 5 lines 41-60**].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a server housing a database storing content provider data, i.e. metadata, as taught by Burner into the invention of Bertram-Berger, in order to provide a well known data structure for storing information pertaining to a web site in addition to providing more adequate and value-added services to a user [**Burner -- Col. 2 lines 10-18**].

Regarding claim 6, Bertram-Berger-Burner teach the invention substantially as claimed, as aforementioned in claim 5 above, including creating browser modification information based upon content provider data, and sending said browser modification information to said browser [**Burner -- Col. 7 lines 42-62 and Col. 8 lines 5-7 – While fetching content from URL, metadata information, relating to content provider, to be displayed in button bar is gathered and sent to the browser to provide the browser modification**].

Regarding claim 7, Bertram-Berger-Burner teach the invention substantially as claimed, as aforementioned in claim 6 above, including:

receiving a web page from said content provider in accordance with said URL [**Bertram -- Fig. 4B item 86, Col. 10 lines 1-32 – User requests and views webpage associated with URL**]; and

displaying said web page by said browser [**Bertram -- Col. 5 lines 18-22 and Col. 10 lines 1-19 – Page, requested by URL, is displayed in browser**] and said modifying comprises updating said browser using said browser modification information [**Burner -- Col. 7 lines 42-62 and Col. 8 lines 5-7 – While fetching content from URL, metadata information, relating to content provider, to be displayed in button bar is gathered and sent to the browser to provide the browser modification**].

Regarding claim 8, Bertram-Berger-Burner teach the invention substantially as claimed, as aforementioned in claim 7 above, including wherein said modifying comprises branding said browser with commercially related browser modification information [**Burner -- Figure 10 and Col. 12 lines 57-67 – Col. 13 lines 1-11 – Browser modification comprises displaying paid links, i.e. commercial advertisements**].

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9. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burner et al. (U.S. 6,282,548), as applied to claim 9 above, in view of Berger et al. (US 2002/0062325).

Regarding claim 14, Burner teaches the invention substantially as claimed, as aforementioned in claim 9 above, including a server for processing a request of a URL and modifying the browser based upon content provider criterion of said URL **[Burner -- Col. 7 lines 14-62 and Col. 8 lines 5-7 – Content from a server, i.e. webpage, is requested via entering a URL into a browser. In addition to providing the requested page, the browser is modified to add a button bar to provide metadata content relating to the retrieved page].**

Burner fails to teach sending a unique identifier (UID) with the URL to a server, the UID identifying preference information.

Berger, however, discloses a document transformation system which alters documents for transmission to users using various devices based upon preference information stored on a server **[Berger -- Figures 1 and 7, Page 1 paragraph [0007] and page 4 paragraph [0076] – Unique ID is transmitted from device to server with URL in order to access preference information associated with the user by indexing a database].**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the sending of a unique ID to a server for accessing preference information associated with a user, as taught by Berger into the invention of Burner, in order to provide access to information which would allow users the further enhance viewing experience by allowing them to customize page views of requested web pages in their browsers.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kraemer (U.S. 6,490,602) discloses a method for providing enhanced functionality to a webpage by providing a shopping toolbar with site specific button routines.
- Beaumont et al. (U.S. 6,496,203) discloses a system for dynamically generating a graphical user interface for a browser which presents a customized toolbar based upon content stored in the webpage.
- Oren et al. (US 2002/0057299) discloses a system for dynamically providing on demand addition of a graphic to a toolbar.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mauro Jr. whose telephone number is 703-605-1234.

The examiner can normally be reached on M-F 8:00a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TJM

June 23, 2004



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